

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WAYNE DESHOWN PERKINS,
Plaintiff,
v.
NAY AUNG,
Defendant.

No. 2:20-cv-02169-JDP (PC)
ORDER

Plaintiff is a state prisoner proceeding without counsel in this action pursuant 42 U.S.C. § 1983. He has filed an application to proceed in forma pauperis and prisoner account trust statement. ECF No. 2. The application makes the proper showing and will be GRANTED.


Pursuant to 28 U.S.C. § 1915(b)(1), plaintiff must pay the \$350 filing fee required by 28 U.S.C. § 1914(a). Plaintiff is assessed an initial partial filing fee of 20 percent of the greater of (a) the average monthly deposits to plaintiff's trust account; or (b) the average monthly balance in plaintiff's account for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(b)(1). Thereafter, plaintiff must make monthly payments of 20 percent of the preceding month's income credited to his trust account. 28 U.S.C. § 1915(b)(2).

The agency having custody of plaintiff is required to forward to the Clerk of the Court the initial partial filing fee, if funds exist, as well as payments from plaintiff's account each time the amount in the account exceeds \$10, until the filing fee is paid. *Id.*

1 The Clerk of the Court shall serve a copy of this order and a copy of plaintiff's in forma
2 pauperis application upon the Director of the California Department of Corrections and
3 Rehabilitation and deliver a copy of this order to the Clerk's financial division.

4
5 IT IS SO ORDERED.

6 Dated: November 19, 2020


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE